

S' -D. El. &, Assist Consul 1-20740  
Oliver Al Dey Sui Juris for The  
Plaintiff Inpropria Persona Beneficiary  
1420 Washington Avenue Apt 8A  
Bronx New York Republic [10456]  
347-872-4625

13 CV 8911

UNITED STATE DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DOCKET No:

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S' -D. El. & Oliver-Al Dey as assist Consul  
Inpropria Persona, Sui Juris  
Plaintiff,

COMPLAINT

JUDGE TRIAL DEMANDED

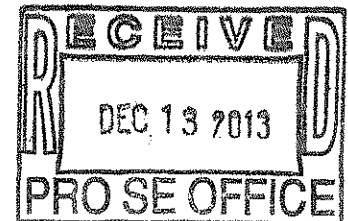
V.

Article 3 Sec.1,2,CT  
FRCP.11

THE CITY OF NEW YORK, N.Y.C P.DEPT, MAYOR  
MICHEAL BLOOMBERG, and N.Y.C.P DEPT.  
COMMISSIONER RAYMOND KELLY, NYC.  
POLICEMAN Badge No # 170169 John Doe,  
P.O John Doe #947471, P.O Shield #012909  
BRETT SCHANTEZ, Shield Badge#110132 POLICE  
Woman DONNA FARREL 42 Pct, CT ADMINIS  
JDG SCHEERZERA, P.O. TIRURCIA KELY,  
Shield # John Doe, and Policewoman HISPANICK #  
5795 FIGUEROA, Policewoman MADANNA 42 Pct,  
P.O. COOLEY, and P.O. ARTORE# 5642042, and '  
P.O LIEUTENANT KEVIN A.MORONEY and  
DT. SHANE ROGERS 42Pct Squad' and P.O Moralez  
# 6220 badge 756, JDG J.BENITEZ, and 'BRONX  
NEWS 12,' BRONX COUNTY ROBERT JOHNSON  
Defendants

Magna Charta Common  
Law Equitable

ON DEMAND



-----X  
PRELIMINARY STATEMENT

1. Come now this is a Common Law Rights and Equitable action I am a special  
appearance before this court without waiving any right procedural statutory remedy or  
defense or persona jurisdiction, which the plaintiff Moorish American National Inpropria  
Persona flesh blood man free hold Free White man Sovereign, was falsely arrested on 4  
different separate times, by these Defendants, Breach of fiduciary Duty, Malfeasance

and defamation, Herein, and Accused falsely, his forth, fifth, second, and 6 amendment was violated on Malicious Prosecution all are dismiss, also a deformation Law suit against BRONX NEWS 12 conspired with defendants to defame Plaintiff Name and false incorrect reporting, under the Statue of Fraud now seeks relief and redress for these defendants violations of is constitutional rights secured and guaranteed and protected by Bill of rights and by the united states constitutional Republic Art 4 Sec.4, is Common Law Rights, was violated, Civil Rights Acts of 1866, and 42 USC Sec.1983, 18 USC 241, 242, 18 USC 1512 violated, 5 USC 706 Treason by sedition violation of Article 6 Clause 2 Marbury v. Madison 137,1803 the united states constitution and treaties are the Supreme Law of the land Judicial fact any thing contrary, null and void have no standing, also violation of 5 USC sec.453 Oath of office, for the Judge misconduct a Breach of trust and fiduciary duty was, in violation of Art 3. 1.2, Court, and under the Statue of fraud, violation of Art 1 Sec.9, prohibit no bill of attainder De facto color of law, ignorance of law is no excuse, and of rights secured by the 2 amend, the Dick Act 11654, 1903 and fourth Amendment, and the thirteenth & 1<sup>th</sup> Amendment and a violation of the Declaration of independence and by violating the Equal Protection and Due process Clauses of the 5 Amendment to the United States Constitution Prohibits defendants action herein, and/or rights secured under the laws and by Constitution also of the State of New York, & Conspiracy with intent, to cover up their unclean hand & Racial Motive.

#### JURIDICTION

2. Jurisdiction is conferred upon this court by 28 U.S.C. Sec. 1331, 1332 and 1343(4) This being an action seeking relief redress for the violation of the Plaintiff constitutional secured unavailable rights, under Article 6 Clause 1 and 2 United States Constitution

include the Treaty of Peace and Friendship Art 20 and 21, the amount of damages in controversy is in excess of Twenty million dollars (\$20, 000,000, 00) exclusive of interest and costs.

3. The Plaintiff demands a trial by judge on each and every one of his claims herein Under Magna Charta 52 Sec to 61 common law Equitable claim pleaded herein.

#### VENUE

4. Venue is proper for the United States District Court for the Southern District Court of New York 28 USC Sec.112 and 28 U.S.C Sec.1391 (a) (b) and (c).under Magna Charta Sec.52 and 61Common law Equity over 20 dollar 7<sup>th</sup> Amendment.

#### PARTIES

5. The Plaintiff Shaalivier-Douce El Moorish American National Sovereign Freehold of the United States Republic and is and was at all times relevant herein a Sovereign National in Republic New York State.

6. Defendants New York City Policeman TIBURCIO KELLY, Badge 947471, and Policeman BRETT SCHANTEZ of 42Pct, and JOHN DOES and Judge SCHEERZER, A., And Policeman COOLEY, and Policeman ARTORE NYPD # 5142042, Policeman Lieutenant KEVIN A. MORONEY and DT. SHANE ROGERS from 42Pct Squad, Policeman Moralez #6220 Badge John Doe756, are and was at all times relevant herein, Policeman FIGUEROA, employees, and Agents of New York City Police Department a municipal agency of the City and of New York State Defendants are bound by the 9<sup>th</sup> and 10 amendment all Officers are sued individually and in their Official Capacities, also under the Statue of Fraud "BRONX NEWS 12 for willful false info about plaintiff,

7. Defendant Mayor Bloomberg is and was at all times the Mayer of the City of New

York and is the chief policy making official for the City of New York and its Departments, including the New York City Police Department, He is sued individually And in his official capacity.

8. Defendant. New York City Police Commissioner Raymond Kelly was, at the Time in charge of Police affairs defendant New York City Police Department is a Municipal entity created and authorized under the color of laws, and of the State of New York. It Is authorized by Charter and law to carry out all Police functions for the Defendant City of New York Corporation and assumes the risk incidental to the maintenance of a Police force and the employment of Policemen woman.

9. Defendant's was at all times relevant herein and was present in its official duty for the City of New York and there agency are chartered, this department that authorize to provides Emergency Services for the City of NewYork, are bound by Oath, 9 and 10 Amendment. Promote order and comfort of the people for protection of liberty Within the Constitutional limit to prevent injury to the public for the people, as for as Police Powers go's only what we the people delegate to them as the Sovereign which is Law.

10. Defendant New York City Police Department is a municipal entity created and Under Charter as agency, it is authorized under the color of law of the State of New York, and New York City to carry out all Emergency and functions, within the constitution limit the Defendant City of New York and assumes the risks incidental to the maintenance of Police Department and the employment of emergency services only what the Bill of rights allow.

#### STATEMENT OF FACTS ONE OF FOUR SEPARATED INCIDENTS

11. On Wednesday October10, 2012 at approximately 7:45 .p.m the plaintiff was

on is way home running in the park going home he was then chase in the park by police not doing any thing wrong coming from is ant, house he was stop curst at assaulted place in harms way fair of is life and battery sexual assaulted abuse and search no weapon, found on the plaintiff is 4<sup>th</sup> and 5<sup>th</sup> amendment violated was arrested taken to the police station and the police tried to fabricate gun charge, and for gun possession on to the plaintiff claiming that he had a gun and even try to type up false statement, claiming that the plaintiff made confession ,and wanted the plaintiff to signed, it outside of the presence of is parent or an Consul, See exhibit attach, when no such thing existed, no finger print came back from the lab at any time connecting a gun, taken or found on plaintiff person the police never read the plaintiff is memoranda warning rights, or told the plaintiff what he was stop cuff arrest for or would be charge with, consul herein 28 USC sec.1746 has first hand knowledge of this incident the plaintiff come to him and explained what had took place plaintiff was release to his mother later on that day night. POLICEMAN SCHANTZ of 42 PCT Shield# 012909 and Policewoman DONNA M. FARRELL of 42 PCT Shield# 11032 arrest #B12675608 of Shaaliver-Douce El case was dismiss 14/12/12 Part 15 JUV X2012C59045, POLICEMAN Arrest JOHN DOE NYCPD Badge #947471POLICEMAN TIBURCIA KELY 42PCT, the judge SCHEERZER, A claim the constitution was old and did not apply, said federal law was garbage in the court room throw the papers in the garbage, Breach fiduciary trust he had financial interest in the case, denied and fail subject matter jurisdiction and venue, under 5usc sec 556 D, was later dismiss and Judge Peters J Benitez was also disrespectful because he could 5USC459 not acknowledge is Oath of office nor prove jurisdiction on a challenge, on 12/14/12, 11: a.m, its also on the court record the judge was involve in

Malfeasance interrupt and interferes with official duty of consul, that under Private attorney general under 10 Amendment any leant sovereign as consul can assist any one in court, the practice of law is a common right when lawyer and corporate entity have no constitutional authority from congress under article 1 sec 9 over a natural man in any united States Court under FRE. 601 incompetency in our republican form of government,

The Agency employees New York City Police Department fail to listen to claimant Who was telling the Police there making a mistake the Police fail to read plaintiff his Rights agency employees willfully and maliciously disregarded the rights of plaintiff's And correct Police procedure.

#### TWO OF FOUR FACTS

On Friday November 2, 2012 time approximately 7:47 p:m E 170 St and was walking with is cousin going on is business 2 NYCPOLICE for no reason Jump out of there Car and search assaulted battery abuse and started threaten intimidate and demand the name of the plaintiff without identifying 'or reason, themselves to the plaintiff was arrested for no reason for not giving the police is name while, they were cursing at plaintiff for exercising is right, plaintiff was cuff and taken to Jail for 2 hours was a violation of is right under 4<sup>th</sup> and 5<sup>th</sup> amend without probable cause plaintiff is a 14teen years old was mining is own business and of no fault of his place in harms way which is a violation of is first amend right to liberty travel also a bill of attainder, rights secured by the United States Constitutional Republic. Policeman Cop Spanish FIGUEROA PSA7 that next Thursday 11/29/12 MADONNA PSA7 #5196 Policeman ARTORE NYPD 5642042 PCT Arrest # B12686292 by the same Cop FIGUEROA saw plaintiff walking on webster and call out is name embarrassing the plaintiff in front of people arrested and

charge, the plaintiff on a robbery, give him a desk ticket and release him to his mother with a desk appearance ticket for family Court, Policeman COOLEY, see Exhibit attach no court date, case was later dismiss.

#### THREE OF FOUR FACTS

On May 25 2013 Saturday the plaintiff was in Bed sleeping without any knowledge two Police men went to plaintiff house knock on is Door at 5:25 a:m with out any complaint signed or Warrant Lieutenant KEVIN A. MORONEY, and DT. SHANE ROGERS form the 42<sup>nd</sup> PCT Squad told is Mother he had to come down, they Just wanted the Kid to come down to answer questions plaintiff was arrested without reading is rights, but what they wanted to do is incriminate that child about some shooting they claim took plaice, on the 16 of May 1213, at 9:30 on that day he was home on May 16<sup>th</sup> that was his Mother Birthday plaintiff was in the house with a girl friend, for some place off Boston Rd an incident, in the Bronx he was never charge but was release after 12 :40 A:m 24hours later on the 26, even thou plaintiff was not charge or arraigned for anything the police still release false info about plaintiff afterword on attempted murder charge for shooting of a 15 year old when the police knew no such thing happen see exhibit attach, police still tried to frame him but on we told them not to question the Child, without Consul the same very Police men release false info to the news 12 about, he was charge for injury and attempt Murder see Exhibit attach.

#### FOURTH OF FOUR FACTS

On Wednesday August 1, 2013 the plaintiff was in front of is old Building across where he use to live at 1385 Washington Ave the plaintiff was arrest on intimidation false pretense claim that he look like some one wanted on 170 St between 168 St Washington



Ave Many witness was present Policeman Moralez, and Bradley Olston witness, after release plaintiff come to me Consul and told me what had took place that day,

### FIRST CLAIM

(VIOLATION OF RIGHT SECURED BY 42 USC SEC.1983 & 1981  
AND THIRTEENTH AMENDMENT TO THE UNITED STATES CONSTITUTION  
MALICIOUS PROSECUTION, AND VIOLATE 4<sup>TH</sup> 5<sup>TH</sup> 6<sup>TH</sup> and 2 amendment rights dick act 1903

#### MALICIOUS PROSECUTION ELEMENTS

ONE BEGIN IN MALICE WITHOUT PROBABLE CAUSE TO BELIEVE THE CHARGES CAN SUSTAINED. IS AN ACTION BROUGHT BY NATURAL PERSON WHOM CRIMINAL PROSECUTION HAD BEEN INSTITUTED MALICIOUSLY AND HAVE BEEN TERMINATED. SECOND TORTS SEC 674, NOW ELEMENT OF A CAUSE OF ACTION FOR MALICIOUS PROSECUTION ARE (1) COMMENCEMENT OF PROSECUTION OF PROCEEDINGS AGAINST PRESENT PLAINTIFF (2) ITS LEGAL CAUSATION BY PRESENT DEFENDANTS (3) ITS TERMINATION IN FAVOR OF PRESENT PLAINTIFF (4) ABSENT OF PROBABLE CAUSE FOR SUCH PROCEEDINGS (5) PRESENCE OF MALICE THEREIN: (6) AND DAMAGE TO PLAINTIFF BY REASON THEREOF.

12. The Plaintiff in incorporates by reference the allegation set forth in 1 through 10 As if fully set forth herein.

POLICE COMMISSIONER RAMOND KELLY MOYOR MICHEAL BLOMBERG and NYCD was in charge of there employees, and Judges PETER J. BENITEZ, and JDG: SCHERZER, A are not immune from violating the plaintiff due process rights

13. The conduct and actions of defendant New York City Policemen and woman herein BRETT SCHANTZ of 42 PCT Shield #012909 POLICEWOMAN DONNA M.FARRELL of 42 PCT Shield #11032 to fabricated report and to calibrate there frame up, on 11/2/12 Policeman FIGUEROA PSA7 POLICEWOMAN, MADANNA, ON 11/29/12 POLICEMAN COOLEY POLICEMAN ARTORE#NYPD 5142042 ON 170 ST, On May 16, 2012 falsely arrested never charge LEUTENANT KEVIN A. MARONEY and SHANE RERS DT. Of 42th PCT Squad ROBERT JOHNSON, On 8/1/13 at 1385 Washington Ave POLICEMAN MORALEZ violate Plaintiffs rights



Acting under color of Law state and City regulation, in subjecting the plaintiff who is Moorish American National Sovereign to Assault and abuse and on 10/10/12 on the public Street and falsely detaining the plaintiff were motivated by racial animus, done intentionally, maliciously and/or with a reckless Disregard for the natural and probable consequences of their acts, done without Justification and were designed to and did cause specific and serious bodily, mental and Emotional harm, pain and suffering in violation of the plaintiff's inalienable rights and liberty protected by the United States Constitutional republic rights as Guaranteed and protected by the Bill of rights, and 18 USC 241,242 under 42 USC Sec. 1983 and 1981 and the thirteenth Amendment and by the United States Constitutional republic.

#### SECOND CLAIM

(VIOLATION OF RIGHTS SECURED BY 42 USC SEC.1983 AND 1866 AND THE FOURTH AMENDMENT TO THE UNITED STATES CONSTITUTION AND FIFTH AMENDMENT FOR ASSAULTING, BATTERING, FALSELY ACCUSING CHARGING ARRESTING, DETAINING AND IMPRISONING THE PLAINTIFF)

14. The plaintiff incorporates by reference to the allegations set forth in paragraphs 1 to 13 as if fully set forth herein,

The actions of defendants Policemen acting under the color of law, and physically Abusing assaulting, and battering Plaintiff and falsely accusing charging and arresting Detaining imprisoning the plaintiff was done intentionally, maliciously and/or with a reckless disregard for the natural and probable consequences of their acts was done without Lawful justification, and was designed to and did cause specific and serious bodily, Mentally and emotional harm pain and suffering in violation of plaintiff's inalienable Constitutional rights as guaranteed Protected by bill of rights than 42 USC.Sec.1983,

1866 4<sup>th</sup>. and 5<sup>th</sup> amendment to the United States Constitution.

### THIRD CLAIM

(VIOLATION OF RIGHTS SECURED BY 42 USC.SEC. 1983 & THE FOURTH AMENDMENT TO THE UNITED STATES CONSTITUTION BY FAILING TO PROTECT THE PLAINTIFF FROM UNCONSTITUTIONAL HARM MOLESTATION AND CONSPIRACY TO COVER THEIR UNCLEAN HANDS FOR RACIAL MOTIVE)

15. The plaintiff incorporates by reference the allegations set forth in paragraphs 1 Through 16 as if fully set forth herein.

16. The conduct and action of defendants contribute from the NYCPD and Police COMMISSIONER RAYMOND KELLY, MAYOR MICHEAL BLOOMBERG Policeman John Doe#747471, TIBURCIO KELY and POLICE BRETT SCHANTZ 42PCT Shield 012909 policewoman DONNA M. FARREL 42th PCT shield 11032, and Policeman ARTORE#5642042, 42 PCT Policeman COOLY, Policeman Madonna 42pct, FIGUEROA, LUEITENANT KEVIN A, MORANEY SHANE ROGERS DT.42PCT SQUAD, and Policeman MORALES, and conspired with BRONX NEWS 12 , is sued individually herein for defamation, are false intentional communication, either published or publicly spoken that injuries to another reputation or good name bath libel and slander contributed herein 1, through 16 acting under color of law in failing to Take any steps to protect the plaintiff from the unjustified and unconstitutional treatment And Invasion of privacy and then conspired with racial motive, plaintiff received at the Unclean hands of the police officers defendants to cover up their violation was done Intentionally maliciously and misrepresentation/or with a reckless disregard for the natural and probable consequences of their action, was done without lawful justification and was designed to and cause specific and serious bodily, mental and emotion harm, pain and suffering In violation of plaintiff's rights as guaranteed under the law 42 USC

Sec. 1983 and 4<sup>th</sup> and the 5<sup>th</sup> amendment to the United States Constitution.

#### FIFTH CLAIM

##### (MONELL CLAIM AGAINST THE MUNICIPAL DEFENDANTS)

17. The Plaintiff incorporates by reference the allegation set forth in Paragraphs 1 through 16 as if fully set forth herein.

18. At all times material to this complaint, the Defendant City of New York, acting Its police department and its Police Commissioner Defendant Raymond Kelley and the Mayer of NY City of Michael Bloomberg had in effect de facto policies, practices, and Customs that were a direct and proximate cause of the unconstitutional conduct of Defendant NYCPD and BRONX NEWS 12, willfully spread propaganda on plaintiff without proof, as the resultant of official cover up of there wrong doing And unconstitutional conduct, and of these officers.

19. These de facto Brainwashing police policies, and customs include, inter alia (a) the failure to properly screen, supervise, discipline, transfer, Counsel, and/or otherwise control police officers engaged in the excessive search and frisk and unjustified use of force, particularly those police men who are repeatedly accused of such acts, (b) the police code of silence wherein police men and women regularly cover-up police use of excessive and unjustified force by telling false and incomplete stories are by or failing to report the use of excessive and unjustified force by police DEPT, inter alia, in sworn testimony, official reports, in statement to Civilian complain review Board ("CCRB") and the internal Affairs Bureau, and in public statements, all of witch are designed to cover for and/or falsely exonerate the accused the Police men.

20. The police, practice and custom of failing to screen, discipline, supervise, council,

Transfers, and/or control police men, are evidence, inter-alia by the following.

a. The increase in the number of allegations of excessive force complaints filed with The CCRB, although, the percentage of force allegations out of the total number of Allegations of police misconduct made to the CCRB, remained steady at 40 percent in 1995 – 1992 and in 1996 (compared to excessive force, however increased by 2000 Between the 2 periods, CCRB, annual report Volumes.

b. Allegations of excessive force and other forms of police misconduct Disproportionately affecting the minority communities, for example, so call African – Americans who comprised 30 percent of the population of New York City, represent approximately 50 percent of all people who filed police misconduct from July 1993 trough the end of 1995. Id. So call Hispanics in the New York Community are often the subject of disproportionate excessive force violations and accordingly file a disproportionately high number of Misconduct complaints.

c. The agency that cause damage: New York City Police Department and Policeman TIBURCIO KELLY John Doe 947471, Policeman BRETT SCHANTZ 42PCT badge Shield 012909, Policewoman MADONNA M. FARREL 42 Pct Shield, 11032 in the P.O county of the Bronx through their respective agent and employees.

d. Agency employees that cause damage: NYPD Policeman ARTORE Badge #5642042 42Pct. Policeman COOLEY. Policeman FIGUEROA # 5196 PSA7 Policeman Lieutenant KEVIN A. MORAONEY and DT. SHANE ROGERS 42Pct Squad, and Policeman MORALES, and New York City the Mayor of New York City Michael Bloomberg, and Police Commissioner of NYCPD Raymond Kelly, and the county of the Bronx through their Respective agent and employees.

e. Agency of employees failed to listen to claimant who was offering identification  
Fail to read claimant his right. Agency employees willfully and maliciously disregarded  
The rights of claimant and correct Police procedure.

f. Injury sustained by claimant was placed in fear, invasion of privacy and of bodily  
Harm with lost of his freedom by being cuffed and several emotional distress and  
Psychological fair of police, suffered denial and deprivation of civil rights and victim of  
Racial profiling, claimant suffer from nervousness and embarrassment and sleeplessness  
Mental anguish and financial and hardship.

g. Amount of damage relief sought twenty million dollars plus punitive damage  
Claimant seeks full recovery for damages that were illegally inflicted molestation assault  
sexually abuse battery at the time of incident.

Dated: November 27, 2013

Under penalty of perjury 28 usc sec. 1746

Office of Executor Oliver Al Dey Auth Rep By: *S*

*Oliver Al Dey*

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El 1-308 F-103

Assist Consul Oliver-Al Dey 3-402b 1-207

Mother Shanise Farrar,

without recourse

1-308 *Shanise Farrar*